

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

PASQUALE LONGO, JR.,

Plaintiff

v.

CAROLYN W. COLVIN,
Commissioner of the Social Security
Administration

Defendant

CIVIL ACTION NO. 1:15-CV-02042

(RAMBO, J.)
(MEHALCHICK, M.J.)

REPORT AND RECOMMENDATION

On June 3, 2016, Plaintiff filed a motion for attorney fees and costs (Doc. 13). On June 13, 2016, Defendant filed a response to that motion (Doc. 15), indicating that it did not oppose the payment of the requested amount fees and costs in the amount of Two Thousand, Nine Hundred and Fifty-Four dollars and Seventy cents (\$2,954.70) in attorney fees and Four Hundred dollars and Zero cents (\$400.00) in costs to the Plaintiff.

Given the Defendant's position on the motion for fees and costs, and further finding that the Plaintiff is entitled to payment of fees and costs under the Equal Access to Justice Act, it is recommended that the Court award Plaintiff, Pasquale Longo, Jr. be awarded Two Thousand, Nine Hundred, and Fifty-Four dollars and Seventy cents (\$2,954.70) in attorney's fees, and Four Hundred dollars and Zero cents (\$400.00) in costs. The attorney fees should be paid directly to Plaintiff, Pasquale Longo, Jr., and sent to the business address of Plaintiff's counsel. Full or partial remittance of the awarded attorney fees should be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the

Government. If such a debt(s) exists, the Government should reduce the awarded attorney fees in this Order to the extent necessary to satisfy such debt(s).

Dated: August 15, 2016

s/ Karoline Mehalchick

KAROLINE MEHALCHICK
United States Magistrate Judge

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NOTICE

NOTICE IS HEREBY GIVEN that the undersigned has entered the foregoing
Report and Recommendation dated **August 15, 2016**.

Any party may obtain a review of the Report and Recommendation pursuant to Rule
72.3, which provides:

Any party may object to a magistrate judge's proposed findings, recommendations or report addressing a motion or matter described in 28 U.S.C. § 636(b)(1)(B) or making a recommendation for the disposition of a prisoner case or a habeas corpus petition within fourteen (14) days after being served with a copy thereof. Such party shall file with the clerk of court, and serve on the magistrate judge and all parties, written objections which shall specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for such objections. The briefing requirements set forth in Local Rule 72.2 shall apply. A judge shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made and may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge, however, need conduct a new hearing only in his or her discretion or where required by law, and may consider the record developed before the magistrate judge, making his or her own determination on the basis of that record. The judge may also receive further evidence, recall witnesses or recommit the matter to the magistrate judge with instructions.

s/ Karoline Mehalchick
KAROLINE MEHALCHICK
United States Magistrate Judge